REMARKS

The Office Action dated November 21, 2003 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

Claims 1-16 were canceled in a previous amendment. Claims 17-36 are pending in the present application. These claims are respectfully submitted for consideration.

As a preliminary matter, the Office Action indicated that claims 19, 20, 27 and 35 contained allowable subject matter, and would be allowable if amended to be in independent form. Applicant appreciates the finding of allowable subject matter.

The drawings were objected to by the Official Draftsperson under 37 C.F.R. §1.84(e) as allegedly having copy machine marks. Applicant hereby submits replacement Figures 1-5 to comply with this requirement. The Examiner is requested to indicate that the replacement Figures 1-5 are acceptable, and to remove the objection.

Claims 17, 18, 21-26, 28-34 and 36 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,104,929 (*Josse et al.*) Applicant respectfully traverses. To anticipate, the cited reference must disclose each and every element of the claimed invention. Applicant submits that *Josse* does not anticipate the claimed invention.

Claim 17, and claims 18-25 that depend therefrom, recite a method for restoring a subscriber context in a network element of a mobile communication network. The method comprises transmitting a restart information indicating whether a subscriber context has been updated after the latest restart. The method also includes continuing the

use of a subscriber context updated after the latest restart. The method also includes inactivating a subscriber context updated before the latest restart.

Claim 26, and claims 27-30 that depend therefrom, recite a system for restoring a subscriber context in a network element of a mobile communication network. The system comprises transmitting means for transmitting to the network element a restart information indicating whether a subscriber context has been updated after the latest restart. The network element comprises receiving means for receiving the restart information and control means for continuing the use of a subscriber context updated after the latest restart and for inactivation a subscriber context updated for the latest restart, in response to the restart information.

Claims 31, and claims 32, 33 and 36 that depend therefrom, recite a network element for a mobile communication network. The network element comprises transmitting means for transmitting a restart information indicating whether a subscriber context has been updated after the latest restart.

Claim 34, and claim 35 that depends therefrom, recite a network element for a mobile communication network. The network element comprises receiving means for receiving a restart information indicating whether a subscriber context has been updated after the latest restart. The network element also includes control means for continuing the use of a subscriber context updated after the latest restart and for inactivation a subscriber context updated before the latest restart in response to the restart information.

As discussed in the present specification, the present invention enables a new subscriber context to be updated after the latest restart of the network element are indicated and the use of a new subscriber context received after the restart can be continued. The amount of unnecessary subscriber context re-activations and, consequently, the downtime of the service may be reduced. Further, the amount of signaling required after the restart procedure is reduced because a smaller number of subscriber contexts have to be re-established. It is respectfully submitted that the prior art of *Josse* fails to disclose all of the elements of any of the presently pending claims. Therefore, the prior art fails to provide the critical and unobvious advantages discussed above.

Josse relates to a data packet radio service with enhanced mobility management. *Josse* describes providing the address of the latest serving GPRS support node to the gateway GPRS support node by a special update SGSN address request message. Update SGSN address request message and update SGSN address response message are exchanged between SGSN and the GGSN. The address of the latest SGSN node is sent in the update SGSN address request message for a qualified packet data protocol context. *Josse* describes allowing an end-user to receive data packets until a packet data protocol context activation procedure is performed. *Josse*, however, does not disclose transmitting a restart information indicating whether a subscriber context has been updated after the latest restart.

In contrast, claim 17 recites "transmitting a restart information indicating whether a subscriber context has been updated after the latest restart." Claim 26 recites a transmitting means for transmitting to said network element a restart information indicating whether a subscriber context has been updated after the latest restart." Claim 31 recites "transmitting means for transmitting a restart information indicating whether a subscriber context has been updated after the latest restart." Claim 34 recites "receiving means for receiving a restart information indicating whether a subscriber context has been updated after the latest restart." Applicant submits that *Josse* fails to disclose at least these elements recited in the claims.

Josse describes providing addresses in an address request message sent from the SGSN to the GGSN. *Josse* does not disclose transmitting or receiving a restart information indicating whether a subscriber context has been updated after the latest restart. Applicant submits that *Josse* is silent with regard to restart information. Further, Applicant submits that *Josse* does not disclose new subscriber context to be updated after restart and using the new subscriber context received after the restart. Applicant also maintains that *Josse* does not disclose using the address request message or address response message to prevent re-activation of a network element. Thus, for at least these reasons, Applicant submits that *Josse* does not anticipate the present invention, and respectfully requests that the Examiner withdraw the anticipation rejection.

Applicant also submits that dependent claims 18-25, and 27-30, 32-33 and 35-36 are allowable. In addition, it is submitted that these claims recite subject matter in

addition to the independent claims, and therefore are allowable at least for the reasons given above.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

William F. Nixon
Registration No. 44,262

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

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Enclosures: Replacement Drawings (3)